

PATENT
Attorney Docket No. 101.0113-01000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

APR 21 2006

In re Application of:)	
Gary K. Michelson)	Confirmation No.: 9461
Serial No.: 10/810,230)	
Filed: March 27, 2004)	
For: METHOD FOR INSTALLING DYNAMIC,)	Group Art Unit: 3733
MODULAR, MULTILOCK ANTERIOR)	
CERVICAL PLATE SYSTEM HAVING)	Examiner: Richard Shaffer
DETACHABLY FASTENED)	
ASSEMBLEABLE AND MOVEABLE)	
SEGMENTS)	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the fee of \$180.00 as specified by Section 1.17(p) is to be charged to Deposit Account No. 50-3726.

Copies of the listed non-U.S. patent documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the

04/25/2006 SSITHIB1 00000080 503726 10810230

02 FC:1806 180.00 DA

documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: April 21, 2006

By: 

Amedeo Ferraro

Registration No. 34,383

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

OMB 0651-0031

Substitute for FORM PTO-1449			Attorney Docket Number 101.0113-01000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant Gary K. Michelson		Application Number 10/810,230	
(Use several sheets if necessary) Sheet 1 of 1			Filing Date March 27, 2004		Group Art Unit 3733	Examiner R. Shaffer
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,467,809	8/1984	Brighton			
	4,795,804	1/1989	Urist			
	6,087,555	7/2000	Dunstan et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Bone Growth Stimulation, http://www.healthatoz.com/healthatoz/Atoz/ency/bone_growth_stimulation.jsp .					
	SPINAL CONCEPTS Brochure; <u>The Acufix, Anterior Cervical Plate System</u> ; undated.					
	ORTHO DEVELOPMENT Brochure; <u>Ortho Development Cervical Plate</u> ; undated.					
	OSTEOTECH Brochure; <u>Affirm, Anterior Cervical Plate System</u> ; undated.					
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						